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## SOME PERMANENT RESULTS OF THE PHILADELPHIA UPHEAVAL OF 1905-06

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We must pause occasionally and take account of stock, if we wish to appreciate the full extent of political development and advance. If we look only at the events of the moment we are apt to get an inadequate or a distorted view. So in considering a series of events such as transpired in Philadelphia between the time of Mayor Weaver's break with the Philadelphia "Organization" in May, 1905, and the inauguration of his successor on April 1, 1907, we must take into reckoning the conditions existing before and after that period.

So much happened between May, 1905, and April, 1907, that we fail to realize fully just how much has been gained. In the matter of the reform of the state's electoral machinery the gain has been little short of enormous. I can best illustrate the extent of the improvement in this connection by giving what we may appropriately call a "before and after" picture of electoral conditions in Pennsylvania, and especially in its metropolis, Philadelphia.

In a letter to Mayor Weaver, dated October 22, 1904, the Electoral Reforms Committee called his attention to the way in which the houses of policemen, firemen, and certain other city employees in four typical wards of the city were utilized for assessing fictitious names, the letter summarizing the facts as follows:

That from twenty-two houses occupied by policemen in the Second Ward, there was a total of one hundred and twenty names registered, of which fifty-seven were ascertained to be those of voters who were reported as actually residing in those houses, and sixty-three names believed to be fraudulent;

That there were seven houses occupied by firemen in the same ward, from which a total of fifty-one names was registered, of which twenty-five were ascertained to be those of voters who were reported as actually residing in those houses, and twenty-six believed to be fraudulent;

That from the houses of two policemen and two firemen in the Second Ward information was refused, and none could be obtained from other sources;

That from nineteen houses occupied by policemen in the Third Ward there was a total of one hundred and twenty-one names registered, of which forty-nine were ascertained to be those of voters who were reported as actually residing in those houses, and seventy-two names believed to be fraudulent;

That from four houses occupied by firemen in the same ward there was a total of thirty-one names registered, of which eight were ascertained to be those of voters who were reported as actually residing in those houses, and twenty-three names believed to be fraudulent;

That from four houses occupied by other city employees in the same ward there was a total of thirty-seven names registered, of which four were ascertained to be those of voters who were reported as actually residing in those houses, and thirty-three names believed to be fraudulent;

That from three houses occupied by policemen and one by a fireman in the same ward information was refused and none could be obtained from other sources;

That from eleven houses occupied by policemen in the Fourth Ward there was a total of sixty-seven names registered, of which thirty-one were ascertained to be those of voters who were reported as actually residing in those houses, and thirty-six names believed to be fraudulent;

That from three houses occupied by firemen in the same ward, there was a total of seventeen names registered, of which eight were ascertained to be those of voters who were reported as actually residing in those wards, and nine names believed to be fraudulent;

That from seventeen houses occupied by policemen in the Fifth Ward there was a total of one hundred and three names registered, of which forty-five were ascertained to be those of voters who were reported to be actually residing in those houses, and fifty-eight names believed to be fraudulent;

That from three houses occupied by firemen in the same ward there was a total of thirty-three names registered, of which twelve were ascertained to be those of voters who were reported as actually residing in those houses and twenty-one names believed to be fraudulent;

That from four houses occupied by city employees in the same ward there was a total of twenty-two names registered, of which eleven were ascertained to be those of voters who were reported as actually residing in those houses, and eleven names believed to be fraudulent;

That from the houses of two policemen, one fireman, and one other city employee in this ward, information was refused and none could be obtained from other sources.

In reporting on the question of purging the assessor's lists,

which for years had been the effective source of fraudulent names for corrupt politicians, the Civic Betterment Association of Philadelphia declared in September, 1904 (less than three years ago), that:

In one of the divisions in the Twenty-fourth Ward receiving its first revision at the hands of the association, sixty-eight names were stricken from the list and thirty-nine (erroneously omitted) were added.

An informal canvass of an adjacent Twenty-fourth Ward division showed more than sixty errors.

In a Twenty-second Ward division thirty-two names were stricken from the list and twenty-three added.

At the beginning of the Municipal League's vigorous fight for personal registration, as far back as 1898, the *Philadelphia Press*, then as now a strong Republican paper, although then its independent proclivities were almost *nil* as compared with its later attitude of vigorous dissent from and opposition to the local Republican "Organization," stated that the assessors' lists of voters in Philadelphia had been padded to the extent of 75,000 to 80,000 names. In September, 1904 (issue of September 17), the *Press* declared that—

It is several years since any real effort has been made to purge the lists and this fact has not only encouraged carelessness on the part of assessors, but in many instances has enabled them to pad the enrollment without danger. This is done less for the purpose of fraud at elections than to increase the representation of wards in Councils.

While there was a difference of opinion as to why the padding was done, there was none as to the fact that there was padding. In a personal conversation with the chairman of the Electoral Reforms Committee, a leading councilman admitted that the padding of assessors' lists had been carried into every ward of the city, and that there was no place in Philadelphia free from it.

While Philadelphia furnished the most flagrant cases of padded assessors' lists and frauds in connection therewith, the evil was not confined to that city. The other cities of the commonwealth afforded instances of padded lists.

The report of the Seventh Ward Democratic Committee in Philadelphia disclosed the following facts:

That an honest and thorough canvass has been made of the qualified voters in all of the twenty-seven divisions of the Seventh Ward, save one.

In that division we have some doubt as to whether the canvass was made independently of the assessors' list, but in all of the other divisions we are able to report a house-to-house canvass.

In two of the divisions we have been unable as yet to compare the returns of our canvassers with the assessors' lists, but omitting these two divisions the difference between the number of voters as returned on the assessors' list is 1,263. The divisions in which the greatest discrepancies exist are:

Twenty-sixth, 122; Twenty-fifth, 120; Seventeenth, 117; First, 107; Sixth, 90; Sixteenth, 87.

In the Twenty-fifth division there are seven voters registered in the house of a policeman on the city force, and there are probably only two or three qualified voters residing at the place. Definite information was refused to our canvasser. In this division there are also a number of employees of the city hospital registered as voters, although their names also appear as voters in the Twenty-seventh Ward. In the Twenty-sixth Division information was refused the canvasser at a number of houses. In the Sixth Division there are ten voters registered from the house of a City Hall employee who was formerly a member of the Democratic committee in the ward.

In the Sixteenth Division eleven voters are registered from a Republican club, which is believed to be a speak-easy, and which is known by the name of a prominent leader of the majority party, and in the Seventh Division there are a large number of voters registered from a barber shop, in which it has been humorously said that the barber votes his cups.

The Philadelphia *Ledger* in 1904 published the following statement concerning the increase for the last seven assessments in four of the divisions of the Second Ward.

The greater portion of this increase is shown in the Eighth, Ninth, Thirteenth, and Twenty-third Divisions. The following table shows this in detail:

TABLE I

ASSESSMENT	DIVISIONS			
	8th	9th	13th	23d
May, 1902.....	363	330	253	307
September, 1902.....	393	304	268	323
December, 1902.....	417	332	288	335
May, 1903.....	423	342	286	303
September, 1903.....	445	378	304	303
December, 1903.....	496	401	336	347
September, 1904.....	545	455	385	385

Between the May, 1904, and the extra assessment in September of the same year (and these figures and these dates are selected because they are for the electoral period just preceding the break of Mayor Weaver in May, 1905) for the whole city there was increase of 16,650. This increase in four months would indicate an increase of 49,950 in one year, and such a growth would be at the rate of  $13\frac{1}{2}$  per cent. a year, or 130 per cent. in 10 years! To show how great the padding was, the Electoral Reforms Committee said:

We need only recall that between the census of 1890 and that of 1900 the population of Philadelphia increased but twenty-three and one-half per cent. If, as is generally conceded, the population is five times the number of voters, the September registration in Philadelphia would indicate a population of nearly 2,000,000. The returns of the extra assessment in September would indicate that there had been an addition of 83,200 to the population in four months. This would amount to an increase of 249,750 in a single year, although the census of 1900 showed less than that for ten years, the increase from 1890 to 1900 being 246,733.

It will be interesting and instructive, as showing the possibilities under the old law, to take up some individual instances collected from various sources, the truth of all of which have been admitted by those who are in a position to speak with authority.

An actual canvass of the Eighteenth Division of the Thirteenth Ward prior to the election of November 6, 1900, disclosed that there were 35 assessed from the house No. 301 North Ninth Street, though traces could be found of but nine residents, from the house No. 309 North Ninth Street twenty-three names were registered, of whom traces of only four could be found; from the four houses 307, 309, 311, and 313 North Ninth Street there were eighty-two voters assessed of whom only twenty-one could be found.

As illustrating the looseness of the system of registration prevailing in Philadelphia the following instance is given: Canvassers, as they went through a district several years ago, calling at various houses, asked if certain well-known politicians lived there. As those who attended the door had been previously instructed to answer "Yes," to every inquiry as to voters in the house, it was found that the then Director of Public Safety,

Abraham L. English, was, according to the testimony of those of whom the inquiry was made, the resident of eight houses in the same division; as was General Frank Reeder, the chairman of the Republican State Committee. The same was said of other prominent politicians.

The following experience, gathered in a previous campaign, is illustrative of the same class of facts: With sealed envelopes addressed to the names upon the assessors' list, canvassers went to suspected houses and inquired for the assessed voters. They found that the people of whom they made inquiries had been posted to answer that the supposed voters lived there. The residents of the houses where fraudulent names were registered were easily trapped by such a series of questions as this: "Does George D. Baker live here?" "Yes." "Does I. W. Durham live here?" "Yes." "Does Charles F. Warwick live here?" "Yes." "Does John Hogan live here?" "Yes." "Why, you are deliberately falsifying," was Hogan's reply. "I am John Hogan; George D. Baker lives in the east end of the ward; George S. Graham is the district attorney and lives in the Twenty-ninth Ward; Mr. Durham lives in the Seventh Ward, and Charles F. Warwick is the mayor," etc. This announcement was sufficient to end the interview and to reveal the fraud that had been practiced. Hogan met just such experience as this in three-fourths of the places visited.

Several years ago the city was startled by the statement that a pug dog had been assessed in the name of William Rifle, and that in one of the wards a barber had voted his cups at the last three or four elections. In the case of Commonwealth vs. Hogan et al., in 1900, in which the defendants were sent to jail and served out their terms, it was disclosed that out of 251 votes returned in the division less than 100 were legal.

Prior to the election in February, 1904, Mayor Weaver made an effort to curtail the fraudulent voting in the Fifth Ward, and as a result of his action there was a reduction of 1,654 in the total vote of that ward, or more than one-third.

Under the constitution of 1874 effective personal registration of voters was impossible. The Municipal League of Philadelphia

appreciating this fact and the great need for personal registration in the cities of the state, in 1896 drafted an amendment to the constitution of Pennsylvania which made such registration possible.

This amendment was introduced into the legislature at the session of 1897 by the counsel of the League who was then a member of the House of Representatives. It failed to secure the necessary number of votes in that session. The amendment was reintroduced at the session of 1899 (again by the counsel for the League), and was passed by the house and senate, but vetoed by Governor Stone.

Proceedings were at once instituted by the League to test the right of the governor to take such action upon a proposed amendment to the fundamental law of the state. The Supreme Court unanimously sustained the League's contention and overruled the governor's veto. As required by the constitution, the amendment was reintroduced in the session of 1901, and passed again by the house and senate.

It was then ready to be submitted to the voters of the state and in November, 1901, the amendment was adopted by a vote of 214,798 in its favor, and 45,601 against.

The way being cleared for personal registration in the cities of the state, a bill to establish a working system was prepared with great care and after consultation with leading lawyers and publicists. This measure was indorsed by a long list of prominent men and newspapers, by the Pittsburg Chamber of Commerce, the Scranton Board of Trade, and other leading business organizations, and by a number of labor organizations.

The bill was introduced in the session of 1903 by Representative Hutt, but it was killed in the Committee on Elections, which refused to take any action on the bill or to report it to the house for consideration. Mr. Hutt expressed his judgment to be that those opposed to the measure could not prevent its passage much longer. Nevertheless the Electoral Reforms Committee declared that unless the people of this state clearly and emphatically renewed their demand for relief from the corrupt practices which then prevailed in the matter of the assessment of voters in the



cities the legislature of 1905 would not feel inclined to give any more heed to the demand for personal registration than that of 1903. Nor did it. If anything, that session treated the measure, this time introduced by Hon. John O. Sheatz (now the Republican candidate for State Treasurer), with more contempt than did its predecessor. Not only was the urgent demand for a hearing ignored, but the effort to secure consideration of any kind was flouted and jeered.

Then something happened! In that very same year the Republican "Organization" was defeated and deprived of its hold on the Philadelphia situation and on the state treasury, and Governor Pennypacker, who had been showing signs of discontent and dissent from the policy of the leaders of the Republican "Organization" called an extra session of the legislature to meet early in 1906.

This body, which was composed of the same men who had made up the regular session of 1905, met and proceeded to enact not only all of the rejected reform measures of 1905, but more, which had been prepared in the meantime, and also undid some of the bad work of the regular session—namely, repealed the notorious "ripper bills."

The personal registration bill which was enacted was the one approved by the reform forces of the city and state. The leading members of the Electoral Reform Committee played a prominent part in securing the legislation, and Mr. Hutt's prophecy of 1903 was fulfilled. "By this measure," to quote the *Philadelphia North American*, "Philadelphia will take a greater advance toward pure elections than by any other legislation that could be devised. Personal registration, in fact, is the absolutely necessary foundation of honest voting." This was the opinion expressed by all the leading papers and publicists, both at the time of the passage of the act and after it had been put into force and effect. Governor Pennypacker appointed four representative men to carry out the law in Philadelphia, a stalwart Republican, an independent Republican, a City Party man, and a Democrat. Thus were the four political elements in the city recognized. This board, which was charged with the important duty of appointing four registrars

(to do the actual registering of voters) in each of the 1,137 election divisions of the city, at once entered upon its work. A wide latitude and a considerable informality in the matter of making suggestions was allowed because of the unfamiliarity with the act, and the short time which the board had to make the appointments and instruct the registrars in their duties.

To facilitate the examination of applicants and to make sure of having all interests adequately represented, the representatives of the several party organizations in each ward were invited to attend and give the board the benefit of their knowledge and suggestions. In addition to these ward representatives, the several city committees were represented by attorneys and by clerks who greatly facilitated the business in hand.

This competition of the several political organizations and the fact that every applicant was carefully scrutinized by a representative of the opposite party, aided materially in weeding out undesirable persons and in securing a high grade of appointments. The several party organizations were officially complimented upon the generally good character of the men suggested and for the earnestness and heartiness with which they co-operated with the board in securing capable men for the initial operation of the law.

On August 1, out of 4,545 places to be filled, but 108 remained vacant, of which number the Republicans were entitled to 36, the City Party to 36, and the Democrats to 32. The month was utilized in securing the presentation of proper persons to fill these vacancies, and in making changes incident to removals and rejections. On September 3, when the board completed its list of appointments (the law allowing the majority party two registrars to each division) there were 1,863 Republican registrars, 1,015 Democratic, 1,659 City Party, 1 Prohibitionist, and 1 Socialist, distributed as in Table II.

Ample opportunity was given to all the parties to file objections to the appointees, who were tentatively announced, but comparatively few were made, the bulk of these being made by the Committee of Seventy (a reform body which had taken an active part in securing the passage of the measure).

Comparatively few objections were filed to the tentative appointments made by the board, by far the largest number being made by the representatives of the Committee of Seventy.

There were six objections in the First Ward, of which three were sustained, and one was withdrawn; two in the Second Ward, one of which was withdrawn; seven in the Third Ward, of which

TABLE II

Wards	Republican	Democratic	City Party
1.....	62	29	33
2.....	47	14	35
3.....	38	17	17
4.....	34	18	20
5.....	33	9	29
6.....	10	19	7
7.....	50	23	37
8.....	25	12	31
9.....	22	1	25
10.....	39	18	27
11.....	20	10	10
12.....	23	14	15
13.....	40	17	25
14.....	28	19	23
15.....	70	40	65
16.....	33	13	22
17.....	33	13	26
18.....	52	27	37
19.....	81	41	54
20.....	70	30	51
21.....	44	29	39
22.....	50	42	92
23.....	34	23	35
24.....	52	39	69
25.....	68	34	54
26.....	70	35	47
27.....	43	30	47
28.....	44	33	63
29.....	61	47	58
30.....	46	21	25
31.....	53	29	38
32.....	30	29	60
33.....	38	22	47
34.....	65	27	72
35.....	16	9	21
36.....	60	32	32
37.....	20	23	36
38.....	36	24	36
39.....	64	32	32
40.....	32	20	40
41.....	27	10	18
42.....	24	10	30
43.....	30	24	46
Total.....	1863	1015	1659

two were sustained and five withdrawn; three in the Seventh Ward, of which one was sustained; one in the Ninth Ward, which was withdrawn; three in the Tenth Ward, of which one was withdrawn; two in the Twelfth Ward, of which one was sustained; one in the Seventeenth Ward, which was sustained, and one in the Thirty-seventh Ward. In a number of instances the objections were based on the ground that the appointees were ineligible because they held some other public office.

There were three days of registration, September 4, September 18, and October 13, all of which passed off without serious trouble, and practically no disorder. The following table shows the effect of the law as compared with the assessment taken under old law.

Immediately succeeding the last day of registration, October 13, the board made arrangements to hear the applications of those who, for the reasons set forth in the act, were unable to attend at any of the days of registration, and to hear appeals from the several boards of registrars. Many questions brought before the board for consideration in these hearings were of the most complicated and important character, involving rulings as to naturalization, citizenship, taxes, and residence. Many cases were heard and ably contested by attorneys for the parties in interest. The work in this connection was completed November 1, in order that those who wished to appeal from the action of the Board of Commissioners to the Court of Common Pleas might have an opportunity so to do.

Four hundred and eight-two petitions to be registered and appeals from registrars were filed, of which 326 were granted, the remainder being refused. Less than a score of appeals were taken to the courts, and in one instance where the board was overruled by the lower court, it was sustained by the Supreme Court.

These hearings resulted in the settlement of a large number of disputes heretofore left to election day for determination. No small part of the quietness and general good order of the general election on November 6, was due to the fact that the list of voters

had been made up in advance and passed upon by an impartial tribunal whose decisions were subject to review by the courts.

It was generally conceded by all parties interested, the candidates (both the defeated and the successful ones), the political

TABLE III

Wards	State Treasurer November, 1905	Sheriff November, 1905	Magistrate February, 1906	Assessment for 1906	Governor November, 1906	Total Registration 1906
1.....	6,109	6,494	6,188	7,867	5,627	6,281
2.....	3,099	3,323	3,283	4,246	3,062	3,317
3.....	2,070	2,235	2,129	3,147	2,023	2,274
4.....	2,043	2,230	2,157	3,174	2,001	2,324
5.....	1,843	1,975	513	3,262	2,072	2,291
6.....	1,197	1,245	970	1,496	1,074	1,162
7.....	5,007	5,220	4,442	8,119	5,024	5,444
8.....	2,653	2,819	2,795	3,675	2,526	2,815
9.....	1,239	1,282	1,342	2,046	1,232	1,362
10.....	4,004	4,138	3,255	6,185	3,795	4,268
11.....	1,618	1,695	1,653	2,079	1,464	1,599
12.....	2,010	2,213	1,687	2,928	1,906	2,132
13.....	3,025	3,259	3,059	5,204	2,976	3,510
14.....	3,517	3,665	2,977	5,696	3,214	3,609
15.....	8,626	9,122	6,305	12,033	7,769	8,547
16.....	2,480	2,645	2,269	3,207	2,308	2,543
17.....	2,740	2,953	2,406	3,662	2,534	2,768
18.....	5,710	6,082	4,963	7,470	5,420	5,809
19.....	10,202	10,960	8,873	13,560	9,762	10,849
20.....	8,862	9,249	8,086	12,273	8,355	9,266
21.....	5,923	6,236	3,663	8,003	5,323	5,783
22.....	11,445	11,978	9,956	15,301	10,395	12,365
23.....	5,304	5,621	3,761	7,097	4,686	5,147
24.....	9,562	10,176	7,308	14,455	8,544	9,640
25.....	9,277	9,805	7,108	12,803	8,794	9,606
26.....	8,203	8,688	7,771	12,275	8,572	9,382
27.....	7,316	7,492	6,680	11,139	7,649	8,401
28.....	8,537	9,192	6,668	13,195	8,154	9,016
29.....	11,166	12,122	9,153	15,665	10,387	11,532
30.....	5,555	5,860	4,988	8,112	5,194	5,763
31.....	6,378	6,676	6,196	8,560	6,165	6,669
32.....	6,172	8,655	6,359	11,463	7,566	8,404
33.....	12,515	13,376	4,333	9,474	6,062	6,806
34.....	10,982	11,495	8,890	18,017	10,433	11,642
35.....	1,942	2,100	1,885	2,717	1,883	2,070
36.....	7,705	8,229	6,489	11,673	7,431	8,086
37.....	5,136	5,371	4,235	6,803	4,798	5,266
38.....	6,651	7,039	5,652	9,533	6,286	6,607
39.....	7,386	7,602	7,142	10,835	7,421	8,281
40.....	4,880	5,132	3,940	7,217	4,838	5,439
41.....	2,356	2,454	2,340	3,022	2,187	2,383
42.....	2,845	3,054	2,370	4,215	2,810	3,086
43.....	....	....	4,949	9,034	6,099	6,721
Total.....	237,306	251,513	201,774	341,825	225,823	250,719

organizations, the newspapers, in fact, by all who examined the returns, that the election of November 5, 1906 (which was most vigorously and hotly contested), was practically free from fraudulent voting, and that the registrars' lists of voters contained only the names of qualified voters. This consensus of opinion, which was reflected in the press, in the formal statements of both successful and unsuccessful candidates, and in the utterances of the party organizations, fully justifies the wisdom and the necessity of the law.

The fact that the Committee of Seventy after painstaking efforts discovered only eight cases of violation of the law that in its judgment should be prosecuted, may be cited as further evidence of the thoroughness with which the law was enforced and the completeness with which the result was watched by the several party organizations.

And all of this took place within two years of the date when the numerous frauds hereinbefore described were not only possible, but actually prevailed; and what was true of the November, 1906, election, was equally true of the February, 1907, elections, and bids fair to be true of the next and all succeeding elections. The establishment of honest lists of voters is an accomplished and accepted fact, not only in Philadelphia, but in all the cities of the state; for all that has been said about the success of the law in Philadelphia can with equal truth be said of Pittsburg, Allegheny, Scranton, and of all the rest.

According, however, to the official report of the Philadelphia board—

Notwithstanding the effectiveness of the law, experience demonstrates that in several respects it needs amendment in order to be still more efficacious. The Board has given very careful consideration to all the suggestions which have been made to it by registrars and those who have studied its operation.

The hours of registration should be changed from the present ones to from 7 to 10 A. M., and from 4 to 9 or 10 P. M. There has been no difference of opinion on the part of registrars as to the lack of necessity for sitting between the hours of 10 and 4 in the afternoon.

At the present time no elector may be challenged on the day of election except on the ground of identity, or on the ground that he is no longer

a resident of the division. An additional ground of challenge must be had for the February election, because a man may possess the tax qualification in November and lose it by expiration or limitation before the February election.

The Board has not required a person whose father was naturalized while he was a minor to present his father's naturalization papers or a certified copy of them, but has allowed him to make affidavit to the fact. This has been this Board's interpretation of the law, but the Erie County Court, to whom a case was appealed, has decided otherwise. The present provisions of the Act should, therefore, be so amended as to make the legislation perfectly clear. This Board favors such a provision as will sustain the position which it has taken.

The Registration Commissioners should have full power to name their own clerks and to purchase their own supplies, in order to prevent any possible misunderstanding or conflict with the City Commissioners.

The compensation of the registrars should be increased. Not only are the duties onerous and exacting and to be increased, requiring care, tact, and discretion, but the fact that they must appear before this Board for examination and must perform other duties in addition to sitting on the three days, justifies the contention that their pay should be increased.

This Board believes that the registrars should be authorized by law to make the assessment for the purposes of taxation now made by the assessors, and, moreover, should be made deputy poll tax collectors so that electors could have a minimum amount of trouble in qualifying to vote. With these added duties the position of registrar would be made still more attractive and would likely be sought for by a higher grade of men than if the duties and long hours remain, as at present.

The suggestions made in regard to the concentration of power in the hands of registrars will make not only for efficiency and economy but also for the concentration of responsibility.

The last day of registration in the fall and the January day of registration should be changed so as to coincide with the last day for paying poll tax, in order to accommodate the electors; and the first day of the fall registration should be the same as the last one for the assessment of voters for purposes of taxation.

Bills incorporating these ideas were introduced into the 1907 session, and all except those relating to the abolition of the deputy ward poll-tax collectors and the now practically useless assessors were adopted.

Reference to the fate of these recommendations is made to illustrate the changed attitude of the legislature on the matter of honest elections. There were many who thought that the reform

spasm would soon end and that personal registration would be repealed or crippled. Not only was this not so, but the system was perfected in harmony with the views of those who knew most about it, and who were most friendly to its protection and development.

This somewhat lengthy description of an important law is justified by the fact of its importance and significance. It affords a striking illustration of the effectiveness of persistent effort intelligently directed, and how a great popular uprising may be directed toward permanent results. As has been pointed out in a previous article,<sup>1</sup> the reforms that were taken up and advocated by the aroused populace were those that had for years been unremittingly urged by patient reformers.

Personal registration of voters, however, is not the only permanent result of the Philadelphia upheaval, although it is generally and properly regarded as the most important. Nomination reform in an excellent shape has been achieved. Under the old system primaries were held when and where the party committees determined, and the primary officers were nearly wholly irresponsible. The only laws bearing on the subject were those of 1881, known as the Landis laws, which merely provided that a violation of the party rules should be regarded as a misdemeanor! But not one word was said about what those rules should contain, and it is needless to say that they were made to contain what best suited the politicians in power. Those who are interested in this phase of the subject will find it discussed in a paper, which I presented to the National Conference on Primary Reform, held in New York in 1898, and subsequently published in the *Proceedings* of that conference and in a paper on "Political Organization and Primary Legislation in Pennsylvania 1881-1904," presented to the New York meeting of the National Municipal League by Scott Nearing and Lawrence W. Trowbridge. (See *Proceedings* of the New York Conference.)

The special session of 1906 passed an Act to regulate nominations and provided for a direct primary of a most excellent type. The primaries of all parties are held on the same day (which is

<sup>1</sup> *American Journal of Sociology*, Vol. XII (September, 1906), p. 190.



fixed by law) at the regular polling places with the general election officers in charge. The voter is given the ballot of his party and this is arranged on the Australian system; i. e., the names of all the candidates for an office are arranged alphabetically under the caption of that office. The elector votes directly for the candidate of his choice, and the candidate for each office receiving a plurality of the votes forthwith becomes the nominee of his party for that office, and his name appears as such on the regular ballot at the general election, without further action of his own or of his party organization. There is no convention to be juggled with; no delegates to be won over or cajoled. The primary is a preliminary election.

Moreover, the law provides for a simple and effective recount where there is any dispute or where fraud is suspected. Upon the petition of ten qualified electors, the County Commissioners are required to open the ballot box of any district in which fraud is alleged and to recount the vote. This is a mandatory provision, the commissioners having no discretion in the matter when a formal petition has been presented. It is further provided by the law that any person aggrieved by the decision of the County Commissioners relative to the counting of the votes may appeal from that decision to the Court of Common Pleas of the county, and the court must hear the appeal and make such decree as right and justice shall require. The whole purpose of the section of the act thus outlined is clearly to protect the rights of all candidates who are made the victims of fraud of any kind. In this respect the nomination law is a great improvement over the general election law.

Concerning this law the Committee of Seventy declared that it redeemed Pennsylvania "from the vicious system in existence for so many years by which candidates were nominated in secret by the authority of the bosses and without any action whatever on the part of the people." And of the personal registration act, it said it "is more complete and more searching in its identification of the voter than the law of any other state."

The same special session passed a strict civil service act for Philadelphia as drawn by the Civil Service Reform Association

of Pennsylvania. This act is still in force although the present mayor of Philadelphia is frankly hostile to it. Just what the outcome of his opposition will be cannot be forecasted, but if we may judge of the effect of similar tactics elsewhere, it will eventually result in strengthening the new system. It is a matter of sincere congratulation that not only did the session of 1907 not tamper with the law in any manner whatever, but it passed an equally satisfactory bill relating to Pittsburg, Allegheny, and Scranton.

These may likewise be considered as part of the permanent results of the Philadelphia upheaval, as also the passage in 1906 of a law which provided "that no officer, clerk, or employee, under the government of any city of the first class within this Commonwealth, shall, directly or indirectly, demand, solicit, collect or receive, or be in any manner concerned in demanding, soliciting, collecting, or receiving, any assessment, subscription or contribution, whether voluntary or involuntary, intended for any political purpose whatever," as also another law which prohibited officers, clerks, and employees from taking an active part in political movements and elections.

Still another act of importance regulated nomination and election expenses, and required the accounts of all such expenses to be filed in a public office, and when formally objected to, to be audited by a court.

To quote and adopt the language of Thomas Raeburn White, counsel for the Committee of Seventy, and an assistant city solicitor—

To one who is unfamiliar with the conditions of the election laws in Pennsylvania, previously existing, it is not easy to understand what a tremendous advance these laws constitute. It is no exaggeration to say that in the city of Philadelphia there has not been an election in which the majority governed for many years. These laws will restore once more to the people the powers of sovereignty which rightfully belong to them, and it is believed will prevent so-called political leaders from manipulating elections in the future as they have in the past. The work of the special session is the really notable thing which has been accomplished, and even now it is difficult for those of us who live in Philadelphia to realize that these laws have actually been passed and are now standing upon the statute books.

The upheaval has had two other important results which must not be overlooked or underestimated; one was the nomination of Edwin S. Stuart for governor, by the Republicans in 1906; and the other, the nomination of John O. Sheatz for state treasurer in 1907. Neither would have been considered or thought of if it had not been for the events to which I referred at the outset.

Governor Stuart of Pennsylvania, like Governor Hughes of New York, believes that ante-election promises should be kept, and the resemblance does not end there. Both are men of high personal integrity, who believe that they hold office to serve the people and not to build up a machine. Both regard their pledges as something sacred and binding and not as "something to stand on to get in on." Both have used the prerogatives of their high office to force recalcitrant legislators to do their duties. Both have measurably succeeded in placing important legislation on the statute book. In the words of the legislative correspondent of the Philadelphia *Ledger*,

Governor Stuart has been more active in shaping general legislation than many of his predecessors. This was because he felt that he was personally pledged to the people to carry out many promises he made on the stump when he was a candidate last fall. His interest was principally directed to seeing that the Republican platform pledges were carried out, especially those relating to railroads and trolleys, and when he discovered that either branch was hesitating about enacting the bills he thought should be passed, he promptly summoned the house and senate leaders and told them that they must keep their party obligations.

The legislative investigation of the state capitol scandal has been begun and prosecuted in a thoroughgoing manner, not particularly because the politicians or the legislature wanted it, but mainly because the governor insisted upon it. He also saw to it that the two-cents-a-mile and the trolley-freight bills were made laws, and that a really respectable and influential railroad commission was provided for.

The legislature passed through their first stages constitutional amendments providing for annual elections by abolishing the spring (or February) elections, and for the establishment of

separate criminal courts, two measures most earnestly desired by the reform elements.

The governor and the legislature, but especially the former, are entitled to great credit for protecting the reform legislation of 1906. There was great fear lest the Philadelphia Civil Service Act might be repealed. It was not touched. On the other hand a good bill extending the system to cities of the second class (Pittsburg, Allegheny, and Scranton) has passed. A repealer of the state constabulary (which has done such splendid work) was defeated.

The Salus-Grady libel bill, which Governor Pennypacker approved in one of his now famous state papers, was repealed, but its one important feature requiring all papers published in the state to print in a conspicuous place, in every issue, the names of the owners, proprietors, or publishers, and the managing editors of the same, was preserved through the passage of a bill to this effect.

Hon. John O. Sheatz was the only Philadelphia member of the legislature in 1905 who could be depended upon to introduce the personal registration bill. He did so promptly, and without parley. He also voted against the rippers and against the libel bill, and in favor of numerous good measures. He was marked for discipline, and was on the point of retiring from public life because he felt that there was no place for a man with a conscience. Then came the revolution of 1905-06, evidencing the change of temper on the part of the people; and Sheatz was almost unanimously re-elected to the legislature, and then was made chairman of the Appropriations Committee. So strong was his record in that position, and so popular was he, that he was forced on the Republican ticket as its candidate for the highly important office of state treasurer.

Before one jumps to the conclusion that the revolution of 1905 in Philadelphia was a mere spasm, a flash in the pan, of no effect, let him examine the record of things accomplished. The accomplishments herein set down represent a very substantial measure of progress in the direction of protecting the fundamental liberties of the people and advancing the cause of decent

and effective government, and they should afford encouragement, not only to the reformers of Philadelphia, but to those of every other community in the land. There may be a temporary reaction; but this much has been gained by the people of Pennsylvania—they have been given a fair and free opportunity to express their political opinions through the purification and intelligent development of their election machinery. If they do not choose to avail themselves of the opportunity—"that is another story."